

Office of the State Public Defender Administrative Procedures

Subject:	DISPUTE RESOLUTION PROCESS, CONTRACT ATTORNEY CLAIMS
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In the event a Contract Attorney claim is modified by the Office of the State Public Defender (OPD) Contract Manager, the Contract Manager shall notify the Contract Attorney by email, or by regular mail if no email address is available, of said modification and the justification for the same.

In the event the Contract Attorney disputes the modification, the following process shall be followed:

1. The Contract Attorney shall put his/her complaint in writing and forward the same by email to the Contract Manager at lamurphy@mt.gov or by regular mail to 44 West Park, Butte, MT 59701.
2. Upon receipt of said complaint, the Contract Manager shall:
 - a. Contact the Contract Attorney and attempt to resolve the dispute.
 - b. If this process is unsuccessful, the Contract Manager shall forward to the complaining Contract Attorney a list of contract attorneys who have volunteered to hear and settle said disputes.
3. The Contract Attorney shall select two attorneys from the volunteer list and advise the Contract Manager of his/her selection. The Contract Manager shall select one additional attorney from the volunteer list and notify the Contract Attorney of that selection.
4. The Contract Manager shall forward a copy of the claim form and supporting documentation to each of the three attorneys selected as the volunteer dispute panel (Panel) together with:
 - a. the Contract Manager's modification and justification for the same;
 - and
 - b. the Contract Attorney's complaint.
5. The Panel shall individually review the documentation and then convene a telephone conference call to discuss and resolve the dispute. OPD will pay for the conference call, which may be scheduled through the state conference call bridge by OPD staff.
6. The Panel may uphold the modification, deny the modification and reinstate the initial claim, or reach an alternative resolution within the parameters of the initial claim and the modification.
7. The decision of the Panel shall be written and signed by one Panel member on behalf of all and forwarded to the Contract Manager and the Contract Attorney. The Panel's decision shall be final.